

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DARYL LAMAR BERRY,

Petitioner,

Case No. C18-502-RAJ-JPD

V.

DONALD HOLBROOK,

Respondent.

**ORDER DIRECTING RESPONDENT TO
SUPPLEMENT THE RECORD**

This is a federal habeas action filed under 28 U.S.C. § 2254. Petitioner's federal habeas
action is currently ripe for consideration. This Court has now reviewed all of the briefing of the
parties as well as the entirety of the state court record submitted by respondent in conjunction
with his answer to the petition. Absent from the state court record is the portion of the trial
transcript containing petitioner's testimony and any other testimony which may have been
introduced in the defense case. It appears that this portion of the trial transcript would aid this
Court in its resolution of petitioner's federal habeas claims. Accordingly, the Court hereby
orders that the trial transcript be furnished to the parties as follows:

**ORDER DIRECTING RESPONDENT
TO SUPPLEMENT THE RECORD - 1**

5 (2) The Clerk is directed to send copies of this Order to petitioner, to counsel for
6 respondent, and to the Honorable Richard A. Jones.

7 DATED this 14th day of August, 2018.

James P. Donohue
JAMES P. DONOHUE
United States Magistrate Judge

**ORDER DIRECTING RESPONDENT
TO SUPPLEMENT THE RECORD - 2**